

## REMARKS

This is a submission under 37 CFR §1.114 and is accompanied by a request for continued examination under 35 USC §132(b) together with the required fee under 37 CFR §1.17(c).

All existing claims have been cancelled and new claims submitted for convenience of understanding.

### Claim rejections—35 USC §112

New claims 67 and 68, corresponding to canceled claim 14, further clarify the claimed subject matter, specifically in regards to the missing antecedent in prior claim 15 cited by the examiner.

Prior claims 28, 32, 38, and 42 were improperly rejected on the stated basis that they did not further limit the method of carrying and viewing information. Applicant respectfully traverses this rejection, on the basis that the preamble to the claim is not properly read as a claim element, and the method as claimed is further limited by the additional steps as defined in the rejected dependent claims. Thus, even if viewing an object and comparing it with a picture of an object on a page of the book is not within “carrying and viewing information,” it is an additional step in the method claimed and should be allowable as such. New claims 89 and 91 nevertheless further clarify the claimed subject matter.

### Claim rejections—35 USC §103

Independent claims 46 (corresponding to prior claim 1), 67 (corresponding to prior claim 14), and 88 (corresponding to prior claim 35) have been modified to further clarify the claimed subject matter, although the applicant respectfully submits that the examiner has not made a proper *prima facie* case of obviousness regarding the rejection of the prior claims. However, the amended claims should serve to remove any doubt about their lack of obviousness.

The amended claims specify that the plurality of pages is bound at first edges of the pages by two spaced apart connectors that also fasten the bound pages to a loop.

Neither of the references cited embodies this claim element, nor is it obvious to a person of ordinary skill in the art from the combined references.

Weiss does not disclose pages that are “connected by a connector to a loop.” The connector 16 in Weiss is a rivet that connects a “supporting device C” to a frame. The tablet D has no contact with the rivet 16 and is therefore not connected by it to the supporting device C. Nor is the “supporting device C” a “loop” within the meaning of the claims. The supporting device C can be made into a loop, and certainly is made into a loop when it is being worn, but it is not inherently a loop because it is also frequently unfastened and caused to adopt a non-loop configuration. In Davis, the wristband 202 is likewise not connected to the plurality of pages, such as those comprising the Post-it® pad, but rather to a case that holds the pages. Similarly, the wristband of Davis does not comprise a “loop” within the meaning of the present claim terms.

Furthermore, regarding prior claims 12 and 14, neither the supporting device C of Weiss nor the wristband of Davis would be expected to have any significant elasticity, certainly not being stretchable to the extent needed to fit over a first body part (such as a hand) to then snugly circumferentially fit a second body part (such as a wrist) when the stretching is relaxed, as claimed in the present application. Both Weiss’ and Davis’ straps have buckles or other fasteners, and it is counterintuitive for such a strap to have any significant elasticity, as the adjustments of fit are made with the buckle or other closure. For example, a belt with a buckle is usually inelastic. Therefore, it is improper to assert that it would be obvious in view of Weiss and Davis to provide a loop of sufficient elasticity to fit with stretching over, for example, a hand and upon relaxing to snugly circumferentially contact a wrist.

Regarding the rejections of prior claims 4, 5, 17, and 18, the examiner alleges that Weiss discloses the pages being made of any suitable material, referencing Page 1, lines 100-112, of Weiss. However, these lines in Weiss only state that “other materials [than slate] may be used if desired.” There is absolutely nothing in Weiss or Davis to suggest particularly the use of synthetic paper as recited in prior claim 4 (which is superseded by new claims 54-56), nor is there any suggestion of a need for any water-resistant paper to be used. There is no teaching or suggestion in either Weiss or Davis that their devices could be used outdoors where it could be exposed to moisture, thereby suggesting the use

of water-resistant paper. For the purposes they describe (making memorandums, or school and office use), the devices never need to be worn outdoors. A person of ordinary skill would not recognize a need to waterproof the Weiss or Davis devices without recognizing the need to use them outdoors in the first place. Therefore, there is no motivation or incentive to combine Melcher's waterproof book to arrive at the invention claimed herein.

Prior claim 13 was rejected in view of Weiss, Davis and Wada. Applicant once again points out that the examiner has completely misunderstood the disclosure of Wada. Wada does not disclose a picture book comprising a helical, spring-like configuration. The helical structure shown in Figure 1 of Wada is nothing more than a picture of a conventional telephone cord printed on a page, not an actual three-dimensional helical cord, as may be verified by careful examination of Figure 1. As the helical structure disclosed in Wada is merely a picture, it does not follow that it teaches a three dimensional elastic structure such as is claimed in the present application. No other figure of Wada displays any three-dimensional helical structure; the image of the helical structure does not bear a reference number, nor is it discussed in any way in the text of Wada. The only mechanical structure disclosed by Wada is a telephone dial. The depiction of the telephone cord is clearly for illustration purposes only for the pleasure of the juvenile readers. Since Wada does not disclose a helical structure, it cannot provide any incentive or motivation to adapt the books of Weiss and Davis with the three-dimensional helical structure that is claimed in the present application.

### **Conclusion**

Applicant respectfully requests that the amendments and arguments outlined herein be entered and considered by the examiner under this request for continued examination. Statutorily under 35 USC §§101-103, Applicant is entitled to patent coverage for claims which are directed to patentable subject matter, are novel, and are non-obvious; applicant asserts that the claims as amended herein meet all legal

requirements for allowance, and she therefore requests that the patent application as amended be allowed to proceed to issue.

Respectfully submitted,



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